

REMARKS

Claims 1, 2 and 4-21 are pending in the Application.

Preliminary Matters

Applicant thanks the Examiner for considering and initialing the Information Disclosure Statements filed January 3, 2008 and February 26, 2008.

Specification

By this Amendment, Applicant amends the specification to correct a numbering error, in which FIG. 7 was referred to when the intention was FIG. 9.

Claim Rejections - 35 U.S.C. § 103

Claims 1, 2, 4-11 and 13-19

Claims 1, 2, 4-11 and 13-19 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Rhoads (US Publication 20030128861 A1, hereinafter “Rhoads”) in view of Paul Lapstun et al. (US Patent 7,132,612 B2, hereinafter “Lapstun”). Applicant respectfully traverses.

Regarding claim 1, Applicant submits that Lapstun teaches a system of determining the orientation of a sensing device, such as a stylus pen, relative to a surface, and communicating the information regarding the orientation and roll of the sensing device to a computer. Such orientation and roll information is used to verify a signature or to act as a computer joystick controller. See col. 2, lines 40-60. The tag 4 cited by the Examiner is a series of invisible ink items that determine how the pen has passed over a surface. See col. 6, lines 58-61. A circular pattern is chosen because it is rotationally invariant and is resistive to perspective distortion. See col. 10, lines 55-60. The tag is also made exceedingly small. See col. 10, line 49. Furthermore, the surface in question may have coded data which indicates the orientation. See Abstract.

The Examiner correctly concedes that Rhoads fails to teach second information that has a shape that facilitates distortion caused by tilt. The Examiner cites Lapstun to make up for the deficiency. Applicant submits that the Examiner's rejection is completely without support.

The cited tag is circular in shape and thus is less adaptable for distortive recognition. The size of the tag, 4mm in diameter, also fails to "facilitate" the image pick up and detection of geometric effect. The tag is also invisible and thus cannot be photographed. Applicant submits that all these aspects not only fail to teach the second information as claimed, but tend to teach away from the second information as described by independent claim 1.

Therefore, Applicant submits that claim 1 is patentable over the cited art for the reasons set forth above, and for the reasons discussed of record relative to the deficiencies of Rhoads. Applicant further submits that claims 2, 4-11, and 13 are patentable over the cited art at least by virtue of their respective dependencies.

Regarding independent claims 14 and 17, these claims are analogous to claim 1. Applicant submits that these claims are therefore patentable over the cited art for at least analogous reasons as above. Applicant further submits that claims 15-16 and 18-19 are patentable over the cited art at least by virtue of their respective dependencies.

Furthermore, Applicant submits that Rhoads and Lapstun are not compatible, i.e., a person having ordinary skill in the art would have had no reason to combine them to make the claimed invention.

Specifically, Applicant notes that Rhoads teaches distributed watermarks. That is, it teaches embedding a watermark throughout a digital signal. See paragraphs [0068] and [0070]. It teaches taking these steps in order to make a watermark robust enough "to withstand routine manipulation, such as data compression, copying, linear transformation, flipping, inversion, etc."

See paragraph [0067]. In contrast, Lapstun teaches discrete netpage tags, which may be placed so that a plurality of tags completely cover a page. See Lapstun FIGS. 5 and 6, and col. 10, lines 40-46. Applicant submits that incorporating the features of Lapstun into Rhoads as suggested by the Examiner would destroy the functionality of Rhoads, which teaches, as above, a more distributed watermark.

Using the shape of Lapstun's tags would require making the watermark of Rhoads discrete, which would destroy its functionality. Hence, Applicant submits that the Examiner has given insufficient reason to combine these references.

Claim 12

Claim 12 is rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Rhoads and Lapstun as applied to claim 4 above, and further in view of Yamagata (US Publication 20020018139 A1). Applicant respectfully traverses.

Applicant submits that Yamagata does not cure the above-noted deficiencies in the proposed combination of Rhoads and Lapstun. Hence, Applicant submits that claim 12 is patentable over the cited art at least by virtue of its dependency from claim 1.

Claims 20 and 21

Claims 20 and 21 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Rhoads and Lapstun as applied to claims 2 and 1 respectively, and further in view of well known prior art.

Applicant submits that claims 20 and 21 are patentable over the cited art at least by virtue of their respective dependencies from claim 1.

New Claims

By this Amendment, Applicant adds new claims 22-25, to describe the claimed invention more particularly. Applicant submits that claims 22-24 are supported in the present specification at least at page 43, line 7 to page 44, line 4, and FIG. 14. Applicant submits that claim 25 is supported in the present specification at least at page 27, line 24 to page 28, line 1.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

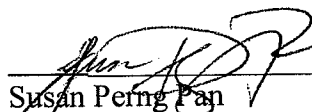
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